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FOR IMMEDIATE RELEASE

June 27, 2005

#05-12

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U.S. SUPREME COURT RULES AGAINST GREGORY THOMPSON IN DEATH CASE

The United States Supreme Court ruled in favor of the State of Tennessee against Gregory S. Thompson today. Thompson was convicted and sentenced to death in August 1985 for the murder of Brenda Blanton Lane on Jan. 1, 1985.

Thompson and a juvenile accomplice abducted Lane from a Shelbyville shopping center parking lot and stabbed her to death. The apparent motive was to steal her car.

Today's ruling will allow the State to ask the Tennessee Supreme Court to reschedule Thompson's execution.

The Sixth Circuit Court of Appeals had previously affirmed a lower court ruling denying Thompson's habeas corpus relief, and the Supreme Court denied Thompson's petition for writ of certiorari in December 2003. However, six months later, on June 23, 2004, the Sixth Circuit withdrew its first opinion and issued another opinion remanding the case to the district court for a full evidentiary hearing. The court acted without having provided the State any notice that it was reconsidering its earlier ruling and based on evidence that had not been made part of the record in the district court. The U.S. Supreme Court granted the State's request to review the Sixth Circuit's extraordinary about-face on Jan. 7, 2005.

Today, the Supreme Court determined the Sixth Circuit abused its discretion by staying its mandate without entering a formal order providing notice to the parties and by reconsidering its earlier opinion. Given the length of time between the two Sixth Circuit opinions and the State's extensive preparations for Thompson's execution during that period, the High Court determined the Sixth Circuit's action failed to give appropriate respect to the State's judicial processes. Writing for the majority, Justice Kennedy stated, "Tennessee expended considerable time and resources in

seeking to enforce a capital sentence rendered 20 years ago, a sentence that reflects the judgment of the citizens of Tennessee that Thompson's crimes merit the ultimate punishment."